

of the State of Texas, convened August 31, 1917, by the proclamation of the Governor, providing how accounts may be approved, and declaring an emergency."

S. B. No. 36, "An Act creating the Oakland Independent School District of Red River county; defining its boundaries; vesting it with the rights, powers and duties and privileges of districts incorporated for school purposes only, under the general laws; providing for a board of trustees therefor, and declaring an emergency."

(Mr. Holaday in the chair.)

#### ADJOURNMENT.

On motion of Mr. Davis of Dallas, the House, at 11:56 o'clock a. m., adjourned until 11:58 o'clock a. m. today.

#### TWENTY-SEVENTH DAY.

(Friday, September 28, 1917.)

The House met at 11:58 o'clock a. m. pursuant to adjournment.

(Speaker Fuller in the chair.)

The roll was called and the following members were present:

Mr. Speaker.	Haidusek.
Baker.	Hardey.
Beard of Milam.	Hill.
Beasley.	Holaday.
Beason.	Holland.
Bell.	Hudspeth.
Bertram.	Johnson.
Blackmon.	Laas.
Bland.	Lacey.
Brown.	Lange.
Bryan.	Lanier.
Bryant.	Lee.
Butler.	Lindemann.
Cadenhead.	Lowe
Canales.	of McMullen.
Clark.	Low
Cope.	of Washington.
Cox.	McComb.
Crudgington.	McDowra.
Davis of Dallas.	McFarland
Davis of Grimes.	McMillin.
Davis	Martin.
of Van Zandt.	Meador.
De Bogory.	Mendell.
Denton.	Metcalfe.
Dudley.	Morris.
Estes.	Murrell.
Fairchild.	Neill.
Fisher.	Parks.
Fitzpatrick.	Peyton.
Fly.	Pillow.

Pope.	Swope.
Raiden.	Taylor.
Reeves.	Templeton.
Richards.	Terrell.
Robertson.	Thompson
Roemer.	of Hunt.
Russell.	Tillotson.
Sackett.	Tilson.
Sentell.	Tinner.
Schlesinger.	Traylor.
Schlosshan.	Tschoepe.
Scholl.	Veatch.
Seawright.	Walker.
Sholars.	White.
Smith of Bastrop.	Williford.
Smith of Hopkins.	Woods.
Spencer of Wise.	Woodul.
Spradley.	Yantis.
Stewart.	

#### Absent.

Bagby.	O'Brien.
Beard of Harris.	Osborne.
Blackburn.	Peddy.
Blalock.	Poage.
Bledsoe.	Rogers.
Burton of Rusk.	Sallas.
Burton of Tarrant.	Smith of Scurry.
Carlock.	Spencer of Nolan.
Cates.	Strayhorn.
Dodd.	Thomas.
Dunnam.	Thomason
Florer.	of El Paso.
Hartman.	Thomason
Hawkins.	of Nacogdoches.
Jones.	Thompson
Laney.	of Red River.
McCoy.	Upchurch.
Miller of Austin.	Valentine.
Miller of Dallas.	Wahrmund.
Monday.	Williams
Moore.	of Brazoria.
Neeley.	Williams
Nichols.	of McLennan.
Nordhaus.	Wilson.
O'Banion.	

#### Absent—Excused.

Bedell.	Harris.
Greenwood.	

Prayer was offered by Mr. Davis of Van Zandt, a member of the House.

Mr. Cope moved a call of the House for the purpose of maintaining a quorum, and the motion was duly seconded.

The Speaker directed the Doorkeeper to close the main entrance to the Hall and permit no member to leave the House without written permission from the chair, and he instructed the Sergeant-at-Arms to lock all other doors leading out of the Hall.

The Sergeant-at-Arms was instructed to bring in the absentees.

## MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House  
of Representatives.

Sir: I am directed by the Senate to  
inform the House that the Senate has  
adopted

S. C. R. No. 6, Providing for the  
appointment of a committee to investi-  
gate and report as to cost, etc., of hav-  
ing the proceedings of the impeachment  
trial printed and bound.

The Senate grants the request of the  
House for a conference on H. B. No. 58,  
and has elected the following as mem-  
bers of the committee on the part of  
the Senate:

Senators Suiter, Henderson, Bailey,  
Westbrook and Hudspeth.

Respectfully,

G. H. BOYNTON,

Assistant Secretary of the Senate.

RELATING TO ARTICLE IN THE  
TEXAS CHRISTIAN ADVOCATE.

Mr. Cox offered the following resolu-  
tion:

Whereas, In the August 23, 1917, is-  
sue of the Texas Christian Advocate, a  
weekly church paper published in the  
city of Dallas, Texas, of which Dr. W.  
D. Bradfield is the editor, there ap-  
peared editorially, in the commenting  
upon the vote of the members of the  
House on the ruling of the judge on  
the admissability of testimony concern-  
ing the source from which the Governor  
of Texas obtained \$156,000, the follow-  
ing language: "We give the names of  
the House members who voted against  
requiring the Governor to answer the  
attorney's question. These names are  
familiar names and can be found in  
every roll call of the Thirty-fifth Leg-  
islature on the anti side of every pro-  
hibition measure."

Whereas, The following honorable  
members named in said editorial, viz.:  
Bell, Bertram, Blackburn, Crudgington,  
Fairchild, McDowra, Moore, Morris,  
Nichols, Spradley, Templeton, Thomason  
of Nacogdoches, White, and probably  
others, have at all times voted on the  
pro side of all prohibition measures on  
all roll calls in the Thirty-fifth Legis-  
lature.

Whereas, The said Texas Christian  
Advocate is the official organ of one of  
the largest and one of the most conse-  
crated church organizations in Texas.

Whereas, The said Dr. W. D. Brad-  
field as editor of such Texas Christian  
Advocate by virtue of his position as  
editor is the recognized leader in re-  
ligious thought for such church organ-  
ization; and

Whereas, The vicious and libelous lan-  
guage employed is an unwarranted mis-  
representation of many honorable mem-  
bers of this House and a humiliation  
of a large Christian citizenship of this  
State; therefore, be it

Resolved by the House of Representa-  
tives, That we deeply deplore the con-  
ditions confronting the people of Texas  
when a recognized leader of the hosts  
of the Prince of Peace becomes so deaf  
to the voice of truth and justice as in  
the name of God but prompted by par-  
tisan prejudice to step down from his  
pedestal of Christian purity and indulge  
in vile and scurrilous libel upon the  
fair names of almost a score of the  
honorable gentlemen whose judgment on  
a purely legal question does not elicit  
the approval of the author of said edi-  
torial.

That we extend to the members of  
the great Methodist Church our heart-  
felt sympathy in this their hour of deep  
humiliation.

That in view of the libelous attack  
upon the members of this House by the  
said Dr. W. D. Bradfield he has for-  
feited the heretofore granted privileges  
of the press in this Hall, and such priv-  
ilege is hereby revoked. Be it further

Resolved, That a copy of these reso-  
lutions be furnished to the various an-  
nual conferences of the M. E. Church,  
South, of the State of Texas during the  
year 1917.

(Mr. Cope in the chair.)

On motion of Mr. Martin, the reso-  
lution was tabled.

ADDING SPEAKER FULLER TO THE  
INVESTIGATING COMMITTEE.

Mr. Fairchild offered the following  
resolution:

Resolved, That it be the sense of the  
House that in the appointment of the  
House committee to conduct an investi-  
gation of the departments and institu-  
tions of the State, the Hon. F. O. Ful-  
ler, Speaker of the House, be one of  
the twenty members to be appointed in  
accordance with the terms of the House  
resolution.

Signed—Fairchild, Stewart, Mendell,  
Low of Washington, Terrell, McComb,

Richards, Sholars, Bryant, Martin and Veatch.

The resolution was read second time and was adopted.

#### CONFERENCE COMMITTEE ON SENATE BILL NO. 27.

Mr. Spencer of Wise called up for consideration at this time the request of the Senate for a free conference committee on Senate bill No. 27.

The Speaker laid the request of the Senate before the House.

On motion of Mr. Spencer of Wise, the request was granted.

In accordance with the above action, the Speaker announced the appointment of the following Free Conference Committee on the part of the House:

Messrs. Brown, Raiden, Bryant, Seawright and Martin.

#### SENATE BILL NO. 38 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 38, A bill to be entitled "An Act to amend Article 598 of Chapter 8, Title 11 of the Revised Penal Code of the State of Texas, and Article 5716, Title 88 of the Revised Statutes of the State of Texas, so as to permit the sale in any county or subdivision thereof, or any city or town in which the sale of intoxicating liquor has been prohibited, of wines for sacramental purposes and of alcoholic stimulants for medicinal purposes, and so as to permit the sale of ethel alcohol by wholesale druggists to retail druggists, and, declaring an emergency."

The bill was read third time.

Mr. Parks moved the previous question on the final passage of the bill and the main question was ordered.

Question then recurring on final passage of the bill, yeas and nays were demanded.

Senate bill No. 38 was passed by the following vote:

Yeas—57.

Beasley.	Clark.
Bell.	Cope.
Blackmon.	Crudgington.
Bryan.	Davis of Dallas.
Bryant.	Davis of Grimes.
Butler.	Davis
Cadenhead.	of Van Zandt.
Canales.	De Bogory.

Dudley.	Russell.
Estes.	Sackett.
Fisher.	Schlesinger.
Fly.	Scholl.
Holaday.	Seawright.
Holland.	Smith of Bastrop.
Hudspeth.	Spradley.
Johnson.	Stewart.
Laney.	Swope.
Lange.	Templeton.
McComb.	Thompson
McFarland.	of Hunt.
McMillin.	Tillotson.
Metcalf.	Tilson.
Morris.	Tinner.
Murrell.	Trayler.
Neill.	Tschoepe.
Parks.	Veatch.
Peyton.	White.
Pope.	Woods.
Robertson.	Yantis.
Roemer.	

Nays—34.

Beason.	Low
Bertram.	of Washington.
Bland.	Martin.
Brown.	Meador.
Cox.	Mendell.
Denton.	Pillow.
Fairchild.	Raiden.
Fitzpatrick.	Reeves.
Haidusek.	Richards.
Hardey.	Schlosshan.
Hill.	Sholars.
Jones.	Smith of Hopkins.
Laas.	Spencer of Wise.
Lanier.	Taylor.
Lee.	Terrell.
Lindemann.	Walker.
Lowe	Williford.
of McMullen.	Woodul.

Present—Not Voting.

Mr. Speaker.	McDowra.
Beard of Milam.	Sentell.

Absent.

Bagby.	McCoy.
Baker.	Miller of Austin.
Beard of Harris.	Miller of Dallas.
Bedell.	Monday.
Blackburn.	Moore.
Blalock.	Neeley.
Bledsoe.	Nichols.
Burton of Rusk.	Nordhaus.
Burton of Tarrant.	O'Banion
Carlock.	O'Brien.
Cates.	Osborne.
Dodd.	Peddy.
Dunnam.	Poage.
Florer.	Rogers.
Greenwood.	Sallas.
Hartman.	Smith of Scurry.
Hawkins.	Spencer of Nolan.
Laney.	Strayhorn.

Thomas.	Valentine.
Thomason	Wahrmund.
of El Paso.	Williams
Thomason	of Brazoria.
of Nacogdoches.	Williams
Thompson	of McLennan.
of Red River.	Wilson.
Upchurch.	

Absent—Excused.

Harris.

Mr. Parks moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### SENATE BILL NO. 39 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 39, A bill to be entitled "An Act to amend Sections 6 and 7 of Chapter 31, of the Acts of the First Called Session of the Thirty-fifth Legislature of the State of Texas, which act was entitled 'Intoxicating liquor—prohibiting the shipment of same into prohibition territories,' prohibiting any person, firm or corporation from soliciting or taking orders in any county, justice precinct, town, city or other subdivision of a county where the qualified voters thereof have by a majority vote prohibited the sale of intoxicating liquors; providing, however, that nothing in said act shall make it unlawful for any person, firm or corporation licensed under the laws of the State of Texas to sell ethel alcohol to the owner, proprietor, agent or employe of retail drug stores, to take orders for ethel alcohol when such sales are made in compliance with the laws of this State, and providing that it shall not be unlawful for intoxicating liquors to be received for the use of his, their or its business only, by any drug stores in which drugs are propounded and employing a registered pharmacist, or by any educational or eleemosynary institution, or by any public or private hospital, or by any manufacturer or the owner or proprietor of any manufacturing establishment, or by any person, firm or corporation engaged in the wholesale drug business, and declaring an emergency."

The bill was read third time and was passed.

Mr. Parks moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

#### RELATING TO ABSENTEES.

On motion of Mr. Pillow it was ordered that members escaping from the Hall under call of the House, when brought in, be requested to state to the House in what manner they escaped from the Hall.

On motion of Mr. Pope, the Sergeant-at-Arms was instructed to bring in any member who had escaped from the Hall.

On motion of Mr. Raiden all excuses were revoked and the Speaker was directed to invoke the assistance of the sheriff of Travis county to enforce the attendance of the absent members.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 44, "An Act concerning the impeachment of officers, etc., and declaring an emergency."

H. B. No. 25, "An Act amending Article 5692, Revised Civil Statutes, 1911, providing that actions for specific performance be filed, etc., and declaring an emergency."

Respectfully,

G. H. BOYNTON,  
Assistant Secretary of the Senate.

#### REPRIMANDING CERTAIN ABSENTEES.

Mr. Tilson offered the following resolution:

Whereas, Some members of this House have vacated the House for the purpose and intention of breaking a quorum, thereby obstructing and delaying needed and important legislation to the great injury of the State and the serious inconveniences of a majority of the members; therefore, be it

Resolved, That we denounce such conduct on the part of any member of this House as wrong and reprehensible and meriting the strongest condemnation by this House.

The resolution was read second time and was adopted.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted the Free Conference Committee report on H. B. No. 22.

The Senate has adopted the Free Conference Committee report on H. B. No. 58.

Respectfully,

G. H. BOYNTON,

Assistant Secretary of the Senate.

(Speaker Fuller in the chair.)

## FREE CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 22.

The Speaker laid before the House, for consideration at this time, the following report of the Free Conference Committee on House bill No. 22:

Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: We, your Free Conference Committee selected and appointed to adjust the difference between the House and Senate on

H. B. No. 22, A bill to be entitled "An Act making additional appropriations for the support of the State government for two years, beginning September 1, 1917, and ending August 31, 1919, as follows, to-wit: For the salaries of special district judges, for fees and costs of sheriffs, attorneys and clerks and in felony cases, for the salary of Assistant Adjutant General and the Quartermaster of the Adjutant General's Department, for the salary of the Chief Inspector of Nurseries, and other specified items for the Department of Agriculture, for the salary of the State Revenue Agent, for the salary of the Chief Deputy Game, Fish and Oyster Commissioner's Department, for the salary of the Bacteriologist of the State Health Department, for the salary of the Commissioner of Labor, for the salaries of two chemists in the Pure Food Department, for the salaries of two inspectors in the Pure Food Department, for the salaries and expenses for collecting fees under the Pure Food Laws, for stamps to be used in the collection of fees in the Pure Food Department, for the salary of the Superintendent of the State Orphan Home, for the sal-

aries of twelve non-graduate nurses for the first year at Tuberculosis Sanitarium, for salaries of three assistants to the Inspector of Masonry and for material tests and analyses, long distance telephone, telegraph, express and freight charges and incidentals and traveling expenses for the Department of Inspector of Masonry, salary of one additional clerk to the State Treasury Department, and to pay miscellaneous claims, and for other purposes; prescribing certain regulations and restrictions in respect thereto; repealing parts of laws heretofore passed making appropriations for the particular items named in this bill, and declaring an emergency."

Have had the same under consideration and beg to report as follows:

1. We recommend that in the judiciary section, on page 2, of House bill No. 22, under the subdivision headed Judiciary, there be inserted, after the word "repealed" and just above the section headed Adjutant General's Department, the following:

"That \$6000, or so much as is necessary, be allowed to pay salaries of special district judges for each of the fiscal years ending August 31, 1918, and 1919."

2. That there be inserted immediately following the first amendment as a part of the judiciary division of this appropriation the following: "To pay fees and costs of sheriffs, attorneys, assistant district attorneys and clerks, in felony cases, for the fiscal year ending August 31, 1916, \$23,500, and for the year ending August 31, 1917, \$34,250."

3. On page 3, in paragraph devoted to the Department of Agriculture, in lieu of the appropriation of \$2500 for each fiscal year to pay collecting, compiling, printing and disseminating agricultural information, printing blanks, forms, etc., there should be inserted in lieu of said item of \$2500 items for the same purpose of \$5000 for each of the two fiscal years for which this bill is making appropriations. And also that there be allowed, out of the fees collected by said Agricultural Department, an additional \$2000 each year traveling expenses for nursery inspectors.

4. That the Agricultural Department be allowed a stenographer in the division of markets at a salary of \$1200 a year for the fiscal years ending August 31, 1918, and 1919.

5. That the bill be amended by adding after the item for R. M. Johnson, at the bottom of page 848 of Senate Journal, the following: "To pay the claim of James I. Perkins for services rendered as special district judge for the Second Judicial District, \$106.73."

Add under the heading for the State Orphan Home:

6. To make improvements on the old deep well now in use to protect and preserve same from caving in and to increase its capacity and to purchase necessary pump or pumps, and other material necessary for the purpose, and to lay a pumping line and install pumping outfit for connecting the surface, artificial lake, or tank, on the premises, with the present water system now in use in such manner as may be provided by the Board of Trustees for the Home, for the purpose of conserving and increasing the available water supply of said State Orphan Home, for the year beginning September, 1917, the sum of \$5000, or so much thereof as may be necessary.

7. To refund the balance, overpaid, through error, occupation tax on gross receipts erroneously paid to the State after the charter of the corporation had been forfeited:

American Brewing Co.....	\$ 67 23
Fort Worth Brewing Co.....	169 35
Dallas Brewery .....	107 29
Houston Ice & Brewing Co...	250 13
San Antonio Brewing Ass'n..	218 23
Galveston Brewing Co.....	180 93
Lone Star Brewing Ass'n.....	30 95

\$1,024 22

8. To authorize the managing board of the Texas School for the Blind to purchase a new pipe organ for the new School for the Blind and pay therefor by exchanging the old pipe organ on hand, and paying any balance necessary, by using certain junk money realized from the old, unsalable equipment in the old building, the amount of junk money to be used not to exceed \$1600.

MENDELL,  
PEYTON,  
DUDLEY,  
WOODS,  
JOHNSON,

On the part of the House.

HUDSPETH,  
GIBSON,  
DAYTON,  
HILL,  
CALDWELL,

On the part of the Senate.

The report was adopted.

(Speaker in the chair.)

#### BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

H. B. No. 33, "An Act to regulate the sale of poisons, providing for marking and designating the packages or containers, and for the registration of the name and address of the purchaser, requiring that all records be kept in well bound books, separate from all other records to be designated 'Record of Poison Sales,' designating what poisons are meant, prescribing a penalty for violations of this act, and declaring an emergency."

H. B. No. 37, "An Act to amend Section 45 of Chapter 203 of the Acts of the Regular Session of the Thirty-fifth Legislature, being an act to regulate the use and operation of vehicles upon the public highways."

H. B. No. 39, "An Act to establish and incorporate the Whiteman Independent School District with certain boundaries in Haskell county, Texas, with all the powers and privileges of independent school districts to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school, to issue bonds, and declaring an emergency."

H. B. No. 46, "An Act to amend Article 925, Chapter 6, Title 22, Revised Civil Statutes of Texas, 1911, providing for the levy and collection of an ad valorem tax by a city or town sufficient to meet interest payments and to create a sinking fund on all indebtedness incurred prior to the adoption of the constitutional amendment in 1883, regarding the power of a city or town to levy and collect taxes, providing for the levy and collection of taxes by a city or town for current expenses, the erection and equipment of or the purchase of public buildings, waterworks, sewers, and other permanent improvements, for the construction of roads, bridges, streets, and for the support and maintenance of public free schools, for the purchase of sites, erection and equipment of public free school buildings, applying the law to certain districts, classifying districts, and declaring an emergency."

H. B. No. 40, "An Act to establish

and incorporate the Pinkerton Independent School District with certain boundaries in Haskell county, Texas, with all the powers and privileges of independent school districts to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school; to issue bonds, and declaring an emergency."

S. C. R. No. 6, Relating to testimony taken in the impeachment trial of Governor Ferguson.

#### ADDRESS BY HON. W. L. HILL.

Mr. Bland offered the following resolution:

Whereas, The Hon. W. L. Hill of Huntsville, Walker county, a former member of the House of Representatives, is within the bar of the House; therefore, be it

Resolved, That he be invited to address the House.

Signed—Bland, Beard of Milam, McFarland.

The resolution was read second time and was adopted.

The Speaker then appointed Mr. Bland, Mr. McFarland and Mr. Beard of Milam to escort Mr. Hill to the Speaker's stand.

The committee having performed its duty, Mr. Hill, being introduced by the Speaker, addressed the House.

#### MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 46, "An Act amending the act in reference to the levy and collection of ad valorem taxes in cities and towns for public improvements."

The Senate refuses to concur in House amendments to S. B. No. 27, and requests a conference on said bill. The following have been elected members of the Conference Committee on the part of the Senate:

Senators Hudspeth, Buchanan of Scurry, Bee, Henderson and Bailey.

The Senate indefinitely postponed consideration on H. B. No. 30.

Respectfully,

G. H. BOYNTON,

Assistant Secretary of the Senate.

#### SENATE BILL NO. 40 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

S. B. No. 40, A bill to be entitled "An Act to amend Chapter 6 of Title 126, of the Revised Statutes of the State of Texas, which chapter provides for a tax on intoxicating liquors in local option territory, so as to add thereto Article 7475a, which added article provides that the preceding articles of said chapter shall not apply to the sales of ethel alcohol in quantities of one gallon or more by persons, firms or corporations engaged in the wholesale drug business to any owner, proprietor, agent or employe, or of any retail drug store in which drugs are compounded and employing a registered pharmacist where such sales are made for the purpose of being used in said retail drug business, and levying a tax and providing for the procuring of a license by such person, firm or corporation engaged in the wholesale drug business and located within any territory where local option is in force, before making such sales, and providing regulations for the issuance of such licenses, and declaring an emergency."

The bill was read third time.

Mr. Bertram offered the following amendment to the bill:

Amend Senate bill No. 40 by inserting after and at the close of paragraph No. 7475a the following: "All persons, firms or corporations engaged in the wholesale drug business and selling alcohol under the terms of this act shall file with the district clerk of the county in which said business is conducted on the first day of each calendar month a report of all alcohol sold by said person, firm or corporation, which said report shall give the name and address of each party to whom alcohol is sold, the quantity of same, the date of sale, to whom delivered, and whether in person or otherwise, which said report shall be sworn to before some officer authorized to administer oaths."

Mr. Spradley moved the previous question on the amendment and passage of the bill, and the main question was ordered.

Question first recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the fol-

lowing vote (not receiving the necessary two-thirds vote):

## Yeas—51.

Beason.	Morris.
Bertram.	Neill.
Blackmon.	Pillow.
Bland.	Pope.
Bryan.	Reeves.
Bryant.	Richards.
Butler.	Robertson.
Cadenhead.	Russell.
Clark.	Sentell.
Davis	Schlosshan.
of Van Zandt.	Seawright.
Denton.	Sholars.
Fairchild.	Smith of Hopkins.
Fly.	Spencer of Wise.
Greenwood.	Stewart.
Haidusek.	Swope.
Hardey.	Terrell.
Hill.	Thompson
Holaday.	of Hunt.
Hudspeth.	Tilson.
Lee.	Trayler.
Lindemann.	Veatch.
Low	Walker.
of Washington.	Williford.
Meador.	Woods.
Mendell.	Woodul.
Metcalf.	Yantis.

## Nays—38.

Beasley.	McComb.
Bell.	McFarland
Brown.	McMillin.
Cope.	Martin.
Crudgington.	Parks.
Davis of Dallas.	Peyton.
Davis of Grimes.	Raiden.
De Bogory.	Roemer.
Dudley.	Sackett.
Estes.	Schlesinger.
Fisher.	Scholl.
Fitzpatrick.	Smith of Bastrop.
Johnson.	Spradley.
Jones.	Taylor.
Laas.	Templeton.
Lacey.	Tillotson.
Lange.	Tinner.
Lanier.	Tschoepe.
Lowe	White.
of McMullen.	

## Present—Not Voting.

Mr. Speaker.	Holland.
Beard of Milam.	McDowra.
Cox.	Murrell.

## Absent.

Bagby.	Blackburn.
Baker.	Blalock.
Beard of Harris.	Bledsoe.
Bedell.	Burton of Rusk.

Burton of Tarrant.	Peddy.
Canales.	Poage.
Carlock.	Rogers.
Cates.	Sallas.
Dodd.	Smith of Scurry.
Dunnam.	Spencer of Nolan.
Florer.	Strayhorn.
Harris.	Thomas.
Hartman.	Thomason
Hawkins.	of El Paso.
Laney.	Thomason
McCoy.	of Nacogdoches.
Miller of Austin.	Thompson
Miller of Dallas.	of Red River.
Monday.	Upchurch.
Moore.	Valentine.
Neeley.	Wahrmund.
Nichols.	Williams
Nordhaus.	of Brazoria.
O'Banion.	Williams
O'Brien.	of McLennan.
Osborne.	Wilson.

Senate bill No. 40 was then passed.

Mr. Parks moved to reconsider the vote by which Senate bill No. 40 was passed and to table the motion to reconsider.

The motion to table prevailed.

## MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

H. B. No. 37, "An Act to amend Section 45, Chapter 31, Acts of the First Called Session of the Thirty-fifth Legislature, regulating the operation of motor vehicles on public highways, declaring an emergency."

H. B. No. 48, "An Act to create a more efficient road system for Red River county, Texas," with amendments.

Respectfully,

JOHN D. McCALL,  
Secretary of the Senate.

## REPORT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 27.

The Speaker laid before the House, for consideration at this time, the following report of the Free Conference Committee on Senate bill No. 27:

Hon. W. L. Dean, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your Free Conference Com-

mittee, appointed to adjust the differences between the House and Senate on S. B. No. 27, beg leave to report, as follows:

We recommend the adoption of the House amendments to S. B. No. 27.

Respectfully submitted,

HUDSPETH,  
BEE,  
BAILEY,  
HENDERSON,  
BUCHANAN of Scurry,  
On the part of the Senate.

BRYANT,  
BROWN,  
MARTIN,  
RAIDEN,  
SEAWRIGHT,  
On the part of the House.

The report was adopted.

#### REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 58.

Mr. Pope called up, for consideration at this time, the following report of the Free Conference Committee on House bill No. 58:

Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: We, your Free Conference Committee appointed to confer with Senate Free Conference Committee on House bill No. 58, beg leave to report that we have agreed with the Senate Free Conference Committee and respectfully submit the following amendments in lieu of Senate amendments, to wit:

1. Amend House bill No. 58 by inserting in Section 1, line 7, all after the word "viz" the following words: "One of said colleges shall be constructed and ready for occupancy not later than September 1, 1921," and insert in lieu thereof the following: "Work on the construction of the Sul Ross Normal at Alpine, Texas, shall begin on February 15, 1919, and the said normal shall be ready for occupancy not later than October 1, 1919."

2. Amend House bill No. 58, Section 2, line 7, by striking out all after the word "by" in said line and section and insert in lieu thereof: "October 1, 1919,

but no part of said money shall be spent earlier than February 15, 1919."

SUITER,  
HUDSPETH,  
HENDERSON,  
BAILEY,  
WESTBROOK,

On the part of the Senate.

McDOWRA,  
HUDSPETH,  
BELL,  
MURRELL,  
SENTELL,

On the part of the House.

Mr. Pope moved that the report be adopted.

Mr. Pope moved the previous question on the report and the motion was duly seconded.

Question—Shall the main question be now ordered?

Yeas and nays were demanded and the main question was ordered by the following vote:

Yeas—78.

Beard of Milam.	McComb.
Beasley.	McDowra.
Bell.	McMillin.
Blackmon.	Martin.
Brown.	Meador.
Bryan.	Mendell.
Bryant.	Morris.
Butler.	Murrell.
Cadenhead.	Neill.
Clark.	Parks.
Cope.	Peyton.
Cox.	Pillow.
Crudgington.	Pope.
Davis of Dallas.	Raiden.
Davis of Grimes.	Reeves.
Davis	Richards.
of Van Zandt.	Robertson.
De Bogory.	Roemer.
Dudley.	Russell.
Estes.	Sackett.
Fairchild.	Sentell.
Fitzpatrick.	Schlesinger.
Fly.	Schlosshan.
Greenwood.	Scholl.
Haidusek.	Seawright.
Hardey.	Sholars.
Holaday.	Smith of Bastrop.
Holland.	Smith of Hopkins.
Hudspeth.	Spencer of Wise.
Johnson.	Spradley.
Jones.	Stewart.
Laas.	Swope.
Lacey.	Taylor.
Lange.	Templeton.
Lanier.	Terrell.
Lee.	Thompson
Lindemann.	of Hunt.

Tilson.  
Tinner.  
Trayler.  
Tschoepe.

Veatch.  
Woodul.  
Yantis.

Nays—15.

Beason.  
Bertram.  
Bland.  
Denton.  
Fisher.  
Hill.  
Lowe  
of McMullen.

Low  
of Washington.  
McFarland.  
Metcalf.  
Tillotson.  
Walker.  
White.  
Williford.  
Woods.

Present—Not Voting.

Mr. Speaker.

Absent.

Bagby.  
Baker.  
Beard of Harris.  
Bedell.  
Blackburn.  
Blalock.  
Bledsoe.  
Burton of Rusk.  
Burton of Tarrant.  
Canales.  
Carlock.  
Cates.  
Dodd.  
Dunnam.  
Florer.  
Harris.  
Hartman.  
Hawkins.  
Laney.  
McCoy.  
Miller of Austin.  
Miller of Dallas.  
Monday.  
Moore.  
Neeley.  
Nichols.

Nordhaus.  
O'Banion.  
O'Brien.  
Osborne.  
Peddy.  
Poage.  
Rogers.  
Sallas.  
Smith of Scurry.  
Spencer of Nolan.  
Strayhorn.  
Thomas.  
Thomason  
of El Paso.  
Thomason  
of Nacogdoches.  
Thompson  
of Red River.  
Upchurch.  
Valentine.  
Wahrmund.  
Williams  
of Brazoria.  
Williams  
of McLennan.  
Wilson.

Question then recurring on the motion of Mr. Pope, that the report be adopted, it prevailed.

Mr. Pope moved to reconsider the vote by which the report was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 39, A bill to be entitled "An Act to establish and incorporate the Whiteman Independent School District with certain boundaries in Haskell county, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school, to issue bonds, and declaring an emergency."

H. B. No. 40, A bill to be entitled "An Act to establish and incorporate the Pinkerton Independent School District with certain boundaries in Haskell county, Texas, with all the powers and privileges of independent school districts, to manage and control the public schools of same, to elect trustees therefor, to levy and collect taxes for the maintenance of said school; to issue bonds, and declaring an emergency."

Respectfully,

G. H. BOYNTON,  
Assistant Secretary of the Senate.

#### REPORT OF COMMITTEE TO INVESTIGATE PRINTING OF IMPEACHMENT TRIAL.

The Speaker laid before the House bill had read the following report of the joint committee to investigate printing the proceedings in the impeachment trial of Governor Ferguson:

Hon. W. L. Dean, President of the Senate, and Hon. F. O. Fuller, Speaker of the House of Representatives.

Sirs: We, your joint committee on the part of the Senate and the House appointed by you for the purpose of reporting on Senate Concurrent Resolution No. 6, beg leave to report as follows:

That it is our judgment that 3500 copies of the proceedings of the impeachment trial of Governor Jas. E. Ferguson before the Senate of Texas should be printed.

That 250 copies of the same be bound in library buckram and the balance be bound in paper at a cost to the State of \$2350.

We recommend that six volumes bound in library buckram be delivered to the State Library of Texas and that one volume bound in buckram be given to each member of the House and the Senate.

We further recommend that one volume bound in library buckram be given to each of the attorneys engaged in the

impeachment trial, and that one copy be given to the Hon. Chester Terrell; that the remaining volumes bound in library buckram be left with the Secretary of State to be by him distributed to the various State libraries of the United States which might make requests for them.

That the volumes bound in paper be distributed equally among the members of the House and Senate and that after the publication the printer shall turn all of the volumes over to the Secretary of State and he shall at once distribute them as above instructed; same to be paid for out of the contingent fund.

HENDERSON,  
FLOYD,

On the part of the Senate.

RUSSELL,  
YANTIS,

On the part of the House.

(Mr. Cope in the chair.)

#### MESSAGE FROM THE SENATE.

Senate Chamber,  
Austin, Texas, September 28, 1917.

Hon. F. O. Fuller, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 33, A bill to be entitled "An Act to regulate the sale of poisons, etc., and declaring an emergency."

Respectfully,

G. H. BOYNTON,  
Assistant Secretary of the Senate.

#### THANKING RINGLING BROTHERS.

Mr. Mendell offered the following resolution:

Resolved, That the thanks of the House be extended to Ringling Brothers for their kindness in presenting the members with a complimentary ticket to the night performance of their great circus.

The resolution was read second time and was adopted.

#### TO PRINT PROCEEDINGS OF IMPEACHMENT TRIAL.

Mr. Russell offered the following resolution:

House Concurrent Resolution No. 3, Providing for publication of proceedings of Senate as a court of impeachment.

Be it resolved by the House of Representatives, the Senate concurring, That \$3000, or so much thereof as may be

necessary, be set apart out of the contingent expense fund to pay for the printing and the distribution of the impeachment trial of Governor Ferguson as provided for in the report of the joint committee recommending the publication of same.

Signed,--Russell, Sentell.

The resolution was read second time.

Mr. Mendell offered the following amendment to the resolution:

Amend the resolution to read at a cost not exceeding \$1000.

Mr. Holland moved the previous question on the amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

The resolution as amended was then adopted.

Mr. Russell moved to reconsider the vote by which the resolution was adopted and to table the motion to reconsider.

The motion to table prevailed.

#### THANKING ST. JOHN'S ORPHAN-AGE.

Mr. Dudley moved that a vote of thanks be tendered the Chorus Club of St. John's Orphanage for the musical entertainment given for the members of the House last Wednesday night, and that the Clerk be instructed to notify the St. John's Orphanage of this action.

The motion prevailed.

#### RECESS.

On motion of Mr. Metcalfe, the House, at 5:45 o'clock p. m., took recess until 9 o'clock a. m. tomorrow.

#### TWENTY-SEVENTH DAY.

(Continued.)

(Saturday, September 29, 1917.)

The House met at 9 o'clock a. m. and was called to order by the Speaker.

#### HOUSE BILL NO. 48 WITH SENATE AMENDMENTS.

Mr. Thompson of Red River called up, for consideration at this time with Senate amendments,

H. B. No. 48, A bill to be entitled "An Act to create a more efficient road system for Red River county, Texas."

The Speaker laid the bill before the